



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Application of: Contag et al.

#17

Serial No.: 08/270,631

Group Art Unit: 1802

Filed: July 1, 1994

Examiner: J. Shaver

For: Non-Invasive Localization of a
Light-Emitting Conjugate in a Mammal

Attorney Docket No.: 8678-003-999

**PETITION TO ENTER PHOTOGRAPHIC FIGURES
UNDER 37 C.F.R. § 1.84(a)(2) AND 37 C.F.R. § 1.17(h)**

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicants hereby submit the present Petition under

37 C.F.R. § 1.84(a)(2), requesting entry of Figures 2A, 3, 6, 5A, 5B, 5C, 5D, 5E, 5F, 7A, 7B, 8A, 8B, 8C, 9A, 9B, 9C, 10B, 10C, 10D and 10E in the form of color photographs. Photographic Figures 2A, 3, 6, 5A, 5B, 5C, 5D, 5E, 5F, 7A, 7B, 8A, 8B, 8C, 9A, 9B, 9C, 10B, 10C, 10D and 10E are provided herewith on double weight photographic paper and in triplicate as required under 37 C.F.R. § 1.84(a)(2)(ii). Non-photographic Formal Figures 1A, 1B, 1C, 2B, 2C, 2D, 2E, 4, and 10A are submitted concurrently herewith.

Furthermore, the fee required with this Petition under 37 C.F.R.

§ 1.84(a)(2)(i) is estimated to be \$130.00 as set forth in 37 C.F.R. § 1.17(h). Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150. A copy of this document is enclosed for accounting purposes.

P 30002 02/14/97 08270631

16-1150 030 122 130.00CH

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. TB 668 686 029 US Date of Deposit October 23, 1996.
I hereby certify that this paper or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is
addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Jennifer Mann

(Type or print name of person mailing paper or fee)
(Signature of person mailing paper or fee)

PEMP-64881.1

In view of the foregoing, Applicants respectfully request that this Petition be granted and that photographic Figures 2A, 3, 6, 5A, 5B, 5C, 5D, 5E, 5F, 7A, 7B, 8A, 8B, 8C, 9A, 9B, 9C, 10B, 10C, 10D and 10E be entered.

Respectfully submitted,

PENNIE & EDMONDS

Date: 10/23/96

By: Albert P. Halluin 25,227
Albert P. Halluin (REG. NO.)

PENNIE & EDMONDS
1155 Avenue of the Americas
New York, New York 10036-2711
(415) 854-3660

10/23/96 16:30:33



PATENT

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Application of: Contag et al.

Serial No.: 08/270,631

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Examiner: J. Shaver

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Light-Emitting Conjugate in a Mammal

Attorney Docket No.: 8678-003-999

SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Allowability mailed on October 23, 1996, in connection with the above-identified application, Applicants submit herewith drawing Figures 1A, 1B, 1C, 2B, 2C, 2D, 2E, 4, and 10A, and Figures 2A, 3, 6, 5A, 5B, 5C, 5D, 5E, 5F, 7A, 7B, 8A, 8B, 8C, 9A, 9B, 9C, 10B, 10C, 10D and 10E, in triplicate. A Petition to Enter Photographic Figures Under 37 C.F.R. § 1.84(a)(2) and 37 C.F.R. § 1.17(h) is being submitted herewith. Please replace the originally filed drawings with the formal drawings enclosed herewith.

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Jennifer Mann

(Type or print name of person mailing paper or fee)

(Signature of person mailing paper or fee)

PEMP-64876.1

If any fees associated with the submission of the formal drawings are due,
authorization is hereby granted to charge such fees to Pennie & Edmonds' deposit account
number 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

PENNIE & EDMONDS

Dated: 10/23/96

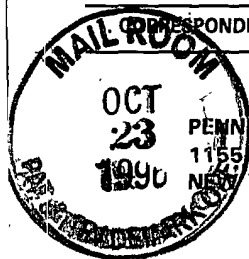
Albert P. Hall 25,227
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Enclosure

ISSUE FEE TRANSMITTAL

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE. Blocks through 6 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to addressee entered in Block 1 unless you direct otherwise, by: (a) specifying a new correspondence address in Block 3 below; (b) providing the PTO with a separate "FEE ADDRESS" for maintenance fee notifications with the payment of Issue Fee or thereafter.



1. CORRESPONDENCE ADDRESS PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, NEW YORK 10036-2711	2. INVENTOR(S) ADDRESS CHANGE (Complete only if there is a change) INVENTOR'S NAME Street Address City, State and ZIP Code <input type="checkbox"/> Check if additional changes are on reverse side
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SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED		
08/270,631	07/01/94	020	SHAVAR, J. 1802	07/23/96		
First Named Applicant CONTAG, CHRISTOPHER H.						
TITLE OF INVENTION NON-INVASIVE LOCALIZATION OF A LIGHT-EMITTING CONJUGATE IN A MAMMAL						
ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
8678-003	424-009.100	C39	UTILITY	YES	\$625.00	10/23/96

3. Further correspondence to be mailed to the following:

4. For printing on the patent front page, list the name of a firm having as a member a registered attorney or agent.

Pennie & Edmonds

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5. ASSIGNMENT DATA TO BE PRINTED ON THE PATENT (print or type)	6a. The following fees are enclosed: <input type="checkbox"/> Issue Fee <input type="checkbox"/> Advanced Order - # of Copies _____ (Minimum of 10)
(1) NAME OF ASSIGNEE: The Board of Trustees of the Leland Stanford Junior University	6b. The following fees should be charged to: DEPOSIT ACCOUNT NUMBER <u>16-1150</u> (Enclose Part C) <input checked="" type="checkbox"/> Issue Fee <input checked="" type="checkbox"/> Advanced Order - # of Copies <u>10</u> <input checked="" type="checkbox"/> Any Deficiencies in Enclosed Fees (Minimum of 10)
(2) ADDRESS: (City & State or Country) Stanford, California	
A. <input type="checkbox"/> This application is NOT assigned. <input checked="" type="checkbox"/> Assignment previously submitted to the Patent and Trademark Office. <input type="checkbox"/> Assignment is being submitted under separate cover. Assignments should be directed to Box ASSIGNMENTS.	The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee to the application identified above.
PLEASE NOTE: Unless an assignee is identified in Block 5, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.	(Signature of party in interest of record) <u>Albert D. Hall</u> (Date) <u>10/23/96</u> NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

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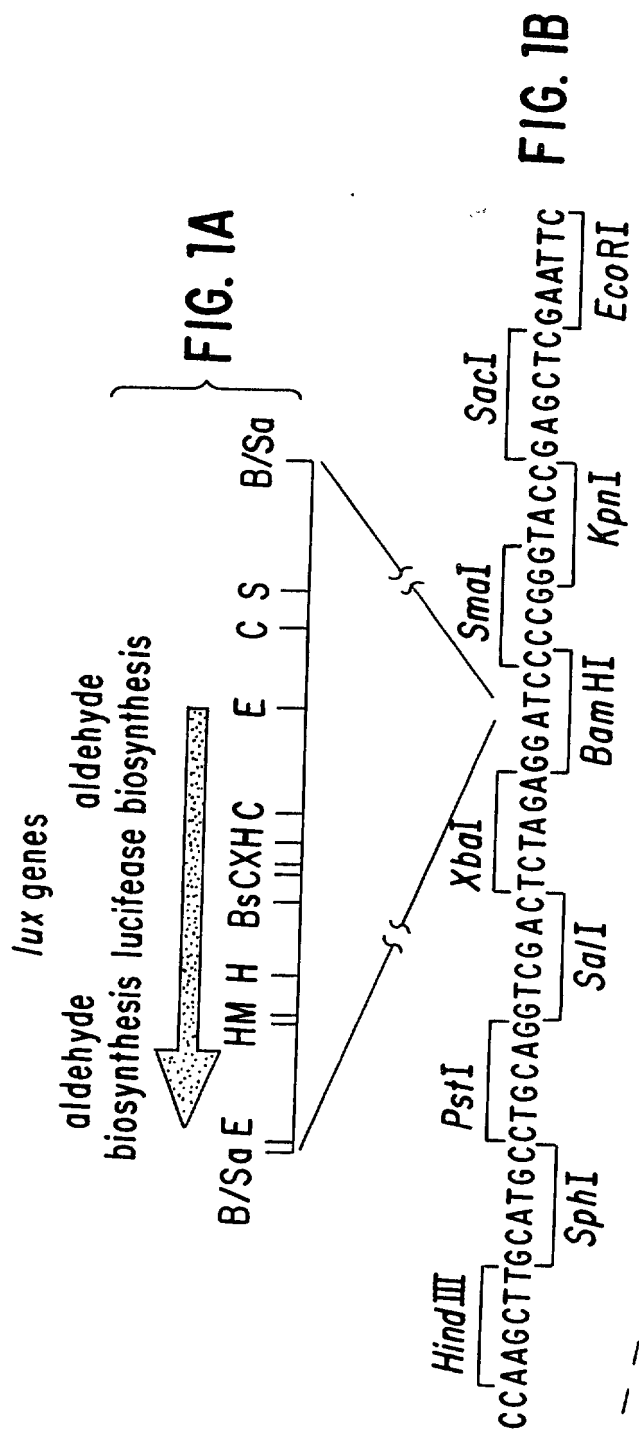
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Jennifer Mann

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APPROVED	OG, FIG NONE
DATE	9.1
BY	484
REVISION	9.1

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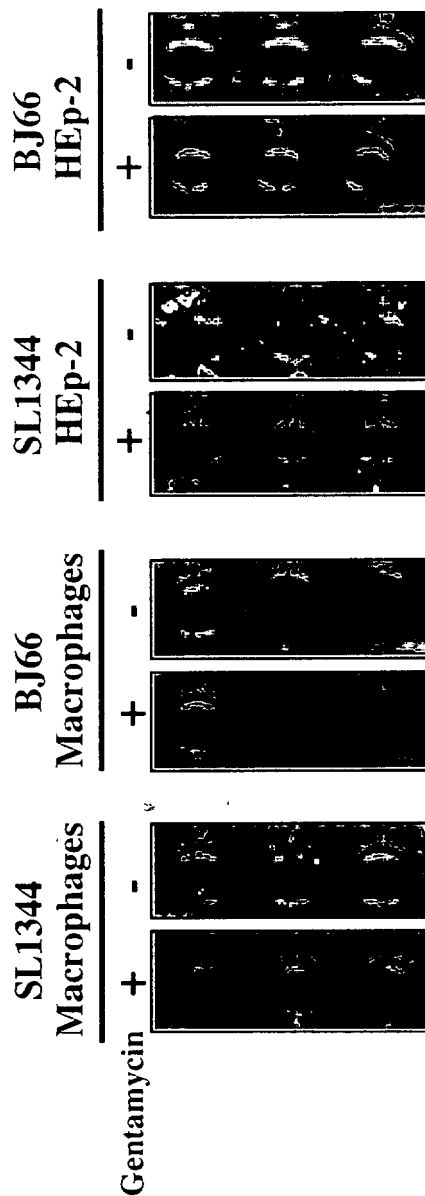


Fig. 2A

3/12

08/270631

APPROVED	O.G FIG	
BY	CLASS	SUBCLASS
DRAFTSMAN		

161020-TE902200

FIG. 2B

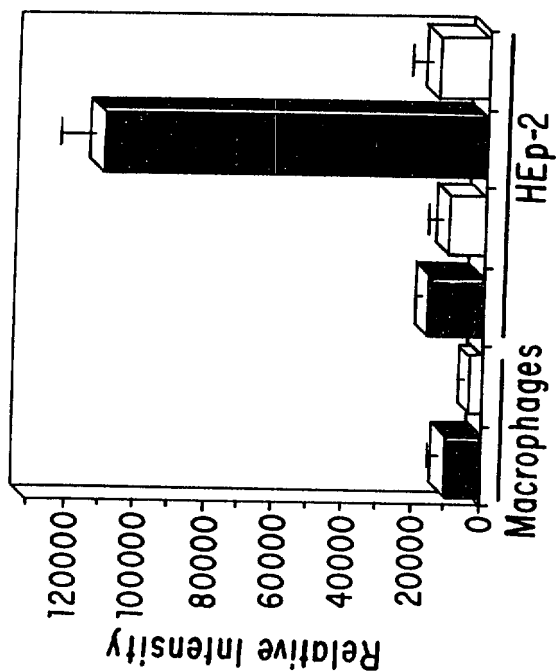


FIG. 2D

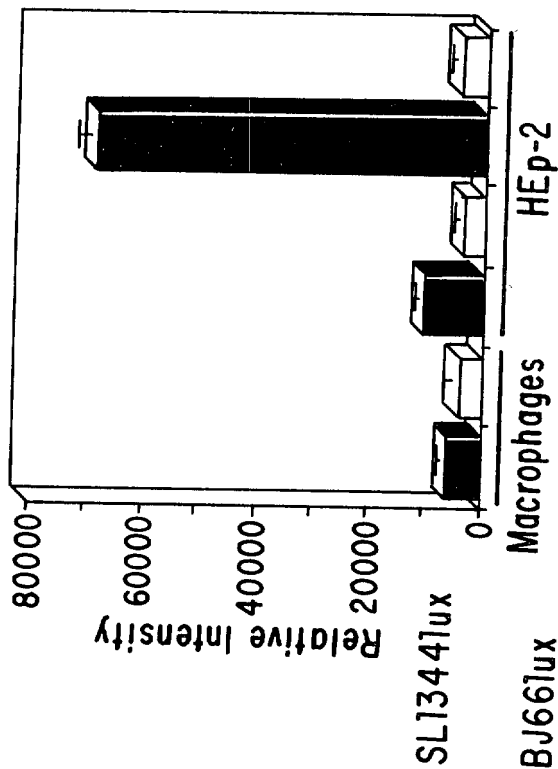


FIG. 2C

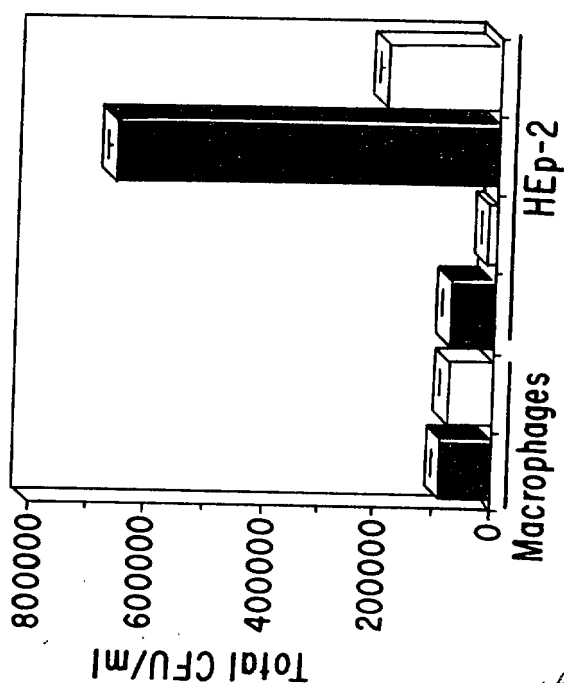
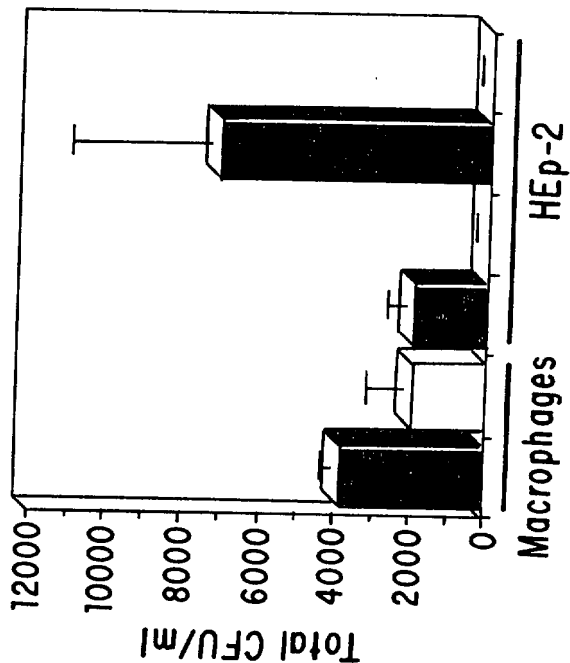


FIG. 2E



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4

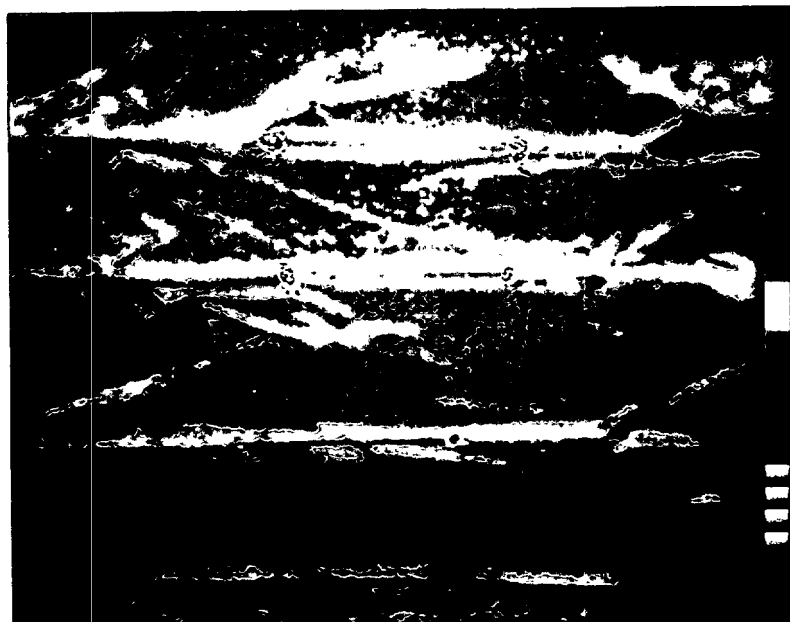


Fig. 3

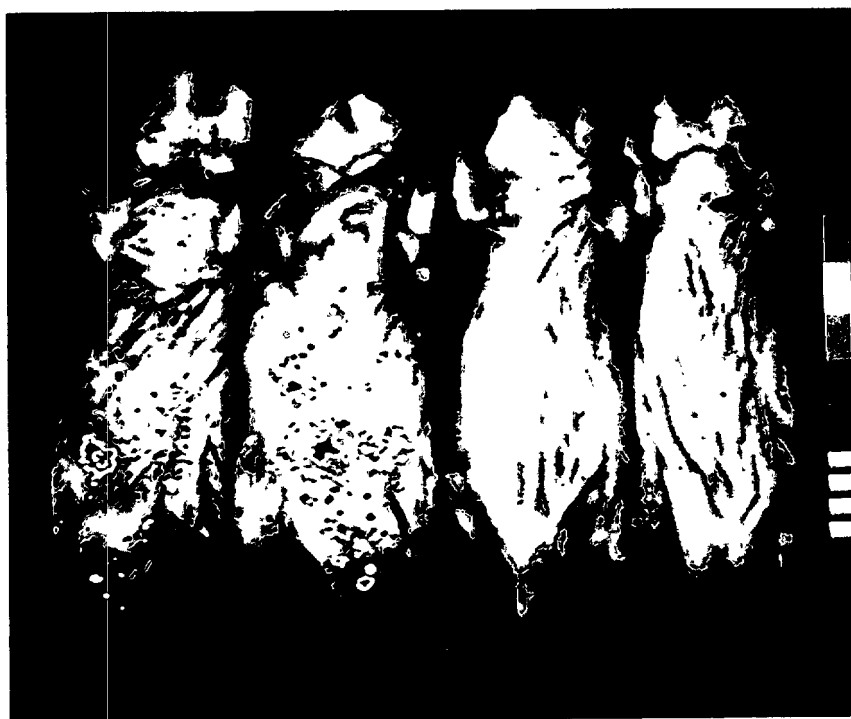


Fig. 6

APPROVED	OG FIG	CLASS	SUBCLASS
BY			

1610207EE3CRAFTSMAN

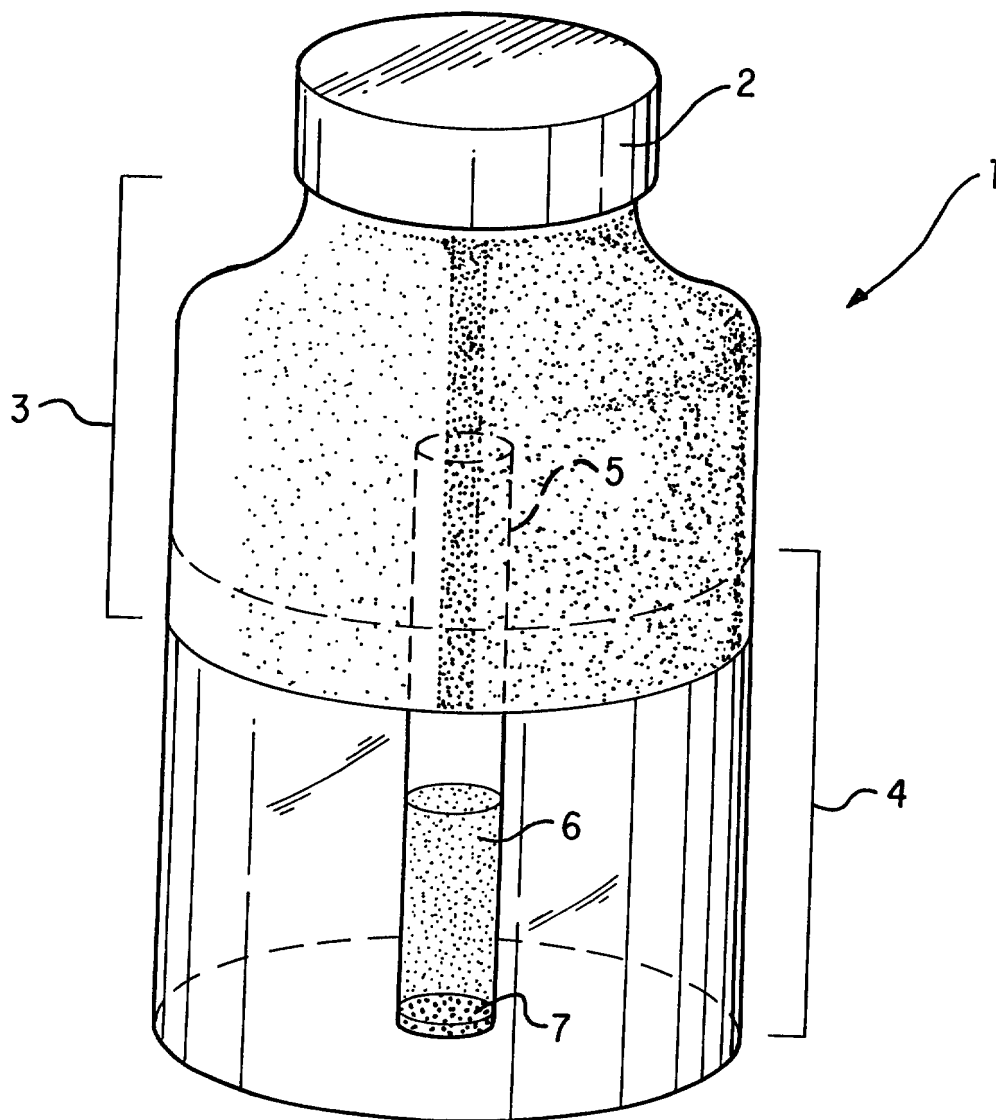


FIG. 4

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FIG. 5A

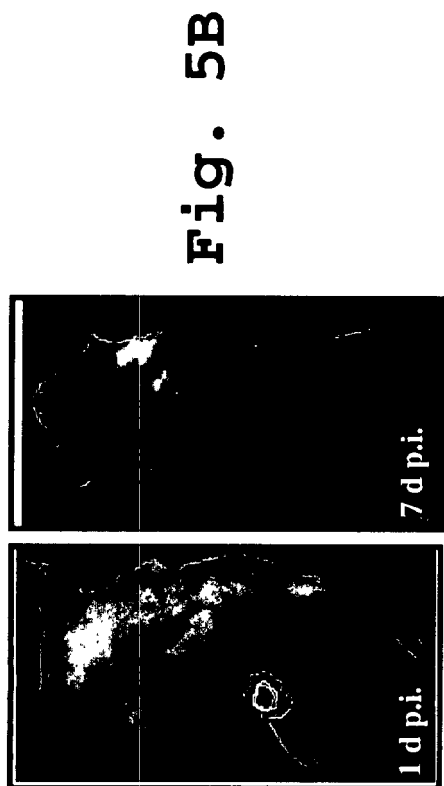
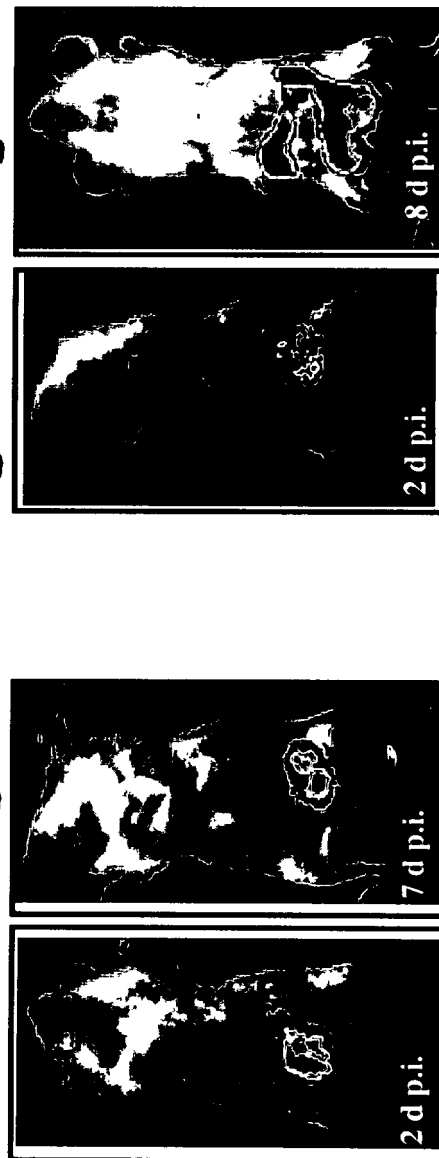


Fig. 5A

Fig. 5B

LB5000lux

Fig. 5C Fig. 5D Fig. 5E Fig. 5F



BJ66lux

SL1344lux

Fig. 7A

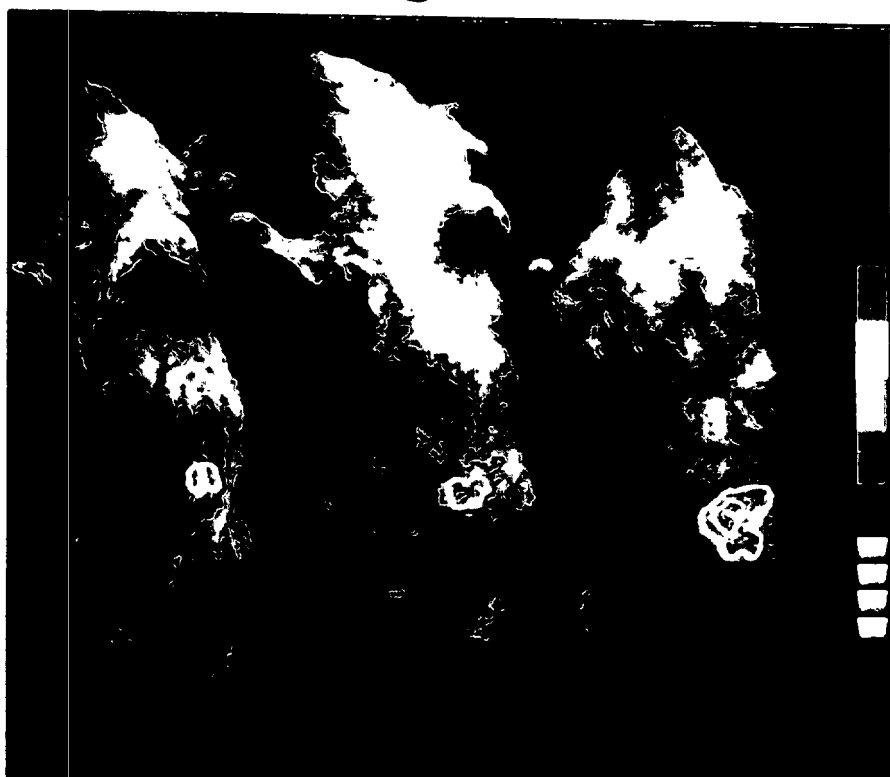


Fig. 7B



Fig. 8A

External



Fig. 8B

Internal



Fig. 8C

Air Injected



BJ66lux Infection (7 d p.i.)

9/12



Fig. 9C



Fig. 9B

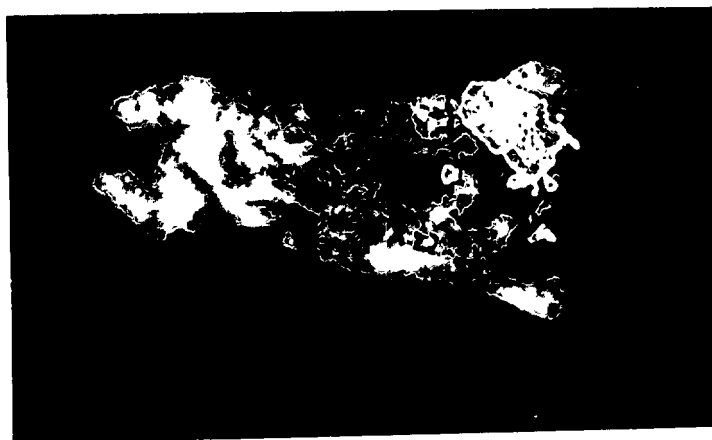


Fig. 9A

Time post
treatment:

0

5.5 h

Untreated

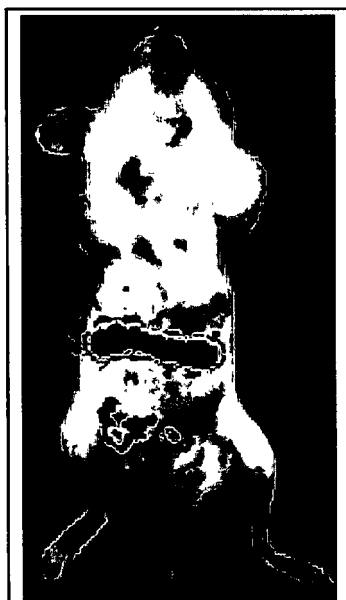


Fig. 10B

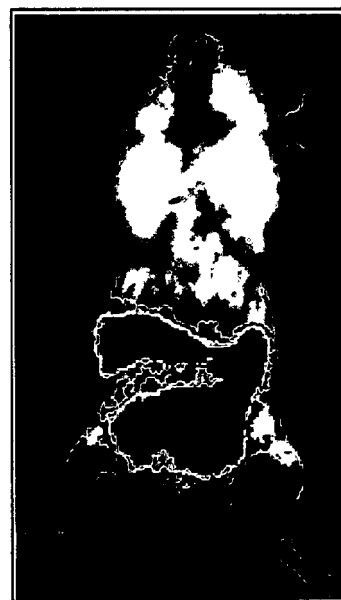


Fig. 10C

Treated



Fig. 10D



Fig. 10E